

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED : 06.10.2016****CORAM:****THE HON'BLE MR.JUSTICE S.NAGAMUTHU****W.P(MD)No.19386 of 2016****WEB COPY**

V.Seeniammal

... Petitioner

Vs.

1.The Joint Director of School Education
(Higher Secondary), Chennai.

2.The Chief Educational Officer,
Tirunelveli.

3.The District Educational Officer,
Tirunelveli District.

4.The Secretary,
Hindu Nadar Uravin Murai
Committee Higher Secondary School,
Arianayagipuram PO,
Veerasigamani Via,
Kadayanallur Taluk,
Tirunelveli District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for the records pertaining to the order passed by the 1st respondent in his proceedings in Aa.thi.mu.No.046815/W5/E3/2016, dated 26.07.2016 and quash the same and direct the 1st respondent to pass an order on the appeal submitted by the petitioner dated 08.07.2016 on merits and in accordance with law, after following the principal of natural justice.

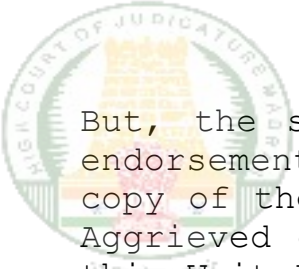
For Petitioner : Mr.V.Panneer Selvam

For respondents : Mr.T.S.Mohammed Mohideen,
1 to 3 Addl. Govt. Pleader

For 4th respondent : Mr.D.Nallathambi

ORDER

The petitioner is working as a Teacher in Hindu Nadar Uravin Murai Committee Higher Secondary School, Ariyanayagipuram, Kadayanallur Taluk, Tirunelveli District. The said school is an aided school. Her grievance is that though she is eligible for promotion to the post of Headmaster, overlooking her seniority and other genuine claim, some one else has been promoted. In this regard, she made an appeal to the first respondent on 08.07.2016.



But, the same has been returned by the first respondent with an endorsement that the petitioner could represent the appeal with a copy of the order approving the promotion given to Mr.M.Chellaiah. Aggrieved over the same, the petitioner is before this Court with this Writ Petition.

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2. I have heard the learned counsel for the petitioner and the learned Additional Government Pleader appearing for the respondents 1 to 3 and the learned counsel appearing for the 4th respondent.

3. Having regard to the facts and circumstances of the case, I am of the view that the order of rejection made by the first respondent is not sustainable. Hence, I am inclined to quash the same. Accordingly, the order of the first respondent, dated 26.07.2016, in Aa.thi.mu.No.046815/W5/E3/2016 is hereby quashed and the first respondent is directed to consider the appeal submitted by the petitioner dated 08.07.2016 on merits and pass appropriate orders after giving sufficient opportunity to the parties concerned, within a period of 12 weeks from the date of receipt of a copy of this order.

4. This Writ Petition is, accordingly, allowed. No costs.

Sd/-

Assistant Registrar (CS-I)

/True copy/

Sub Assistant Registrar

To

1. The Joint Director of School Education (Higher Secondary), Chennai.

2. The Chief Educational Officer, Tirunelveli.

3. The District Educational Officer, Tirunelveli District.

+1 CC to THE SPECIAL GOVERNMENT PLEADER, SR No.60137

+1 CC to Mr.D.NALLTHAMBI, Advocate, SR No.59961

+1 CC to Mr.V.PANNEER SELVAM, Advocate, SR No.60261

ORDER MADE IN
W.P (MD) No.19386 of 2016
06.10.2016

gcg

SH/KM:02.11.2016:2P/7C

<https://hcservices.ecourts.gov.in/hcservices/>